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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,809	12/26/2001	Tomo Watanabe	041465-5131	5982
55694	7590	07/20/2006	EXAMINER	
DRINKER BIDDLE & REATH (DC) 1500 K STREET, N.W. SUITE 1100 WASHINGTON, DC 20005-1209			PYZOCHA, MICHAEL J	
			ART UNIT	PAPER NUMBER
			2137	

DATE MAILED: 07/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/025,809	WATANABE ET AL.	
	Examiner	Art Unit	
	Michael Pyzocha	2137	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-25 are pending.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/07/2006 has been entered.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
4. Claims 1, 4, 5, 7-16, 19-22 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore (US 6067622) in view of Durst, Jr. et al. (US 5113518) (hereinafter Durst).

As per claims 1 and 25, Moore discloses a password that is common for a plurality of data processing apparatuses that is recorded on a recording medium before installation of the data into the data processing unit (see column 9 line 19 through column 10 line 15).

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Moore fails to disclose a password that is unique for each individual data processing apparatus and replacing the password on the recording medium with the unique password after installation.

However, Durst teaches a password that is unique for each individual data processing apparatus (see column 3 lines 35-44) and replacing the password on the recording medium with the unique password after installation (see column 5 lines 36-53 and column 6 lines 1-29).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use a device specific password and password updating in the Moore system.

Motivation to do so would have been to prevent a computer program from being used by an unauthorized computer system (see Durst column 3 lines 14-19).

As per claims 4, 8, 9 and 11, the modified Moore and Durst system discloses a password memory device which stores a first password that is unique for each data processing apparatus, and that must be used in order to perform recording of data on or reproduction of data from said recording medium (see Durst column 3 lines 35-44); a recording and reproduction device which uses said stored first password to perform recording or reproduction; a judgment device which determines whether or not

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it is possible to perform recording of data to or reproduction of data from an update recording medium by using a second password that must be used in order to perform recording of data on or reproduction of data from said update recording medium, said update recording medium being other than said recording medium and used when updating the data on said recording medium (see Moore see column 9 line 19 through column 10 line 15 and Durst column 5 lines 36-53); an update device which updates said data on said recording medium by using the data recorded on said update recording medium that is determined to be proper as enabling either recording or reproduction when said second password is used; and a change device which changes said second password to said first password after updating said data (see Durst column 5 lines 36-53 and column 6 lines 1-29).

As per claims 5, 7, 10 and 12, the modified Moore and Durst system discloses the second password is common for a plurality of update recording media determined to be proper and stored together with the update recording medium (see Moore column 9 line 19 through column 10 line 15).

As per claims 13-16, and 19-22, the modified Moore and Durst system discloses the re-writable recording medium comprises first data; second data which is used for updating the first data; a first password which is used for access to the

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first data and is unique for each apparatus and stored in a first medium; and a second password which is used for access to the second data and stored in a second medium; and the controlling device clears restriction of access to the first data with use of the first password; the controlling device determines whether or not the second data is original with use of the second password; and the controlling device changes the first data to the second data when the second data is determined to be original the changing of the second password occurs after the updating (see Moore column 9 line 19 through column 10 line 15 and Durst column 5 lines 36-53 and column 6 lines 1-29).

5. Claims 2, 3, 6, 17, and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Moore and Durst system as applied above, and further in view of Morisawa et al. (US 5537544).

As per claims 2 and 3, the modified Moore and Durst system discloses an extraction device which extracts the password that are recorded on said recording medium; a judgment device which determines the contents of said extracted password data; an update device which updates said password that are recorded on said recording medium to said first password data when said judged contents are the same as the contents of said second password; a recording and reproduction device which performs at

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least recording data on or reproducing data from said recording medium; and a prohibiting device which prohibits execution of said recording or said reproduction when said judged contents differ from both the contents of said first password and contents of said second password that are stored in said memory device (see Moore column 9 line 19 through column 10 line 15 and Durst column 5 lines 36-53 and column 6 lines 1-29).

The modified Moore and Durst system fails to disclose the passwords being stored together.

However, Morisawa teaches such a memory (see column 3 lines 14-16, column 5 lines 57-59 and column 34 lines 20-21).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to store both passwords of the modified Moore and Durst system in the same memory.

Motivation to do so would have been to have a password control system that holds one or more registered password to allow data processing when a password identical to one of the registered passwords is inputted (see Morisawa Abstract).

As per claims 6, 17, and 23, the modified Moore, Durst and Morisawa system discloses both passwords being stored together (see Morisawa column 3 lines 14-16, column 5 lines 57-59 and column 34 lines 20-21).

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6. Claims 18 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Moore and Durst system as applied to claims 13 and 19 above, and further in view of Kato (US 6453233).

As per claims 18 and 24, the modified Moore and Durst system fails to disclose the update program is map data.

However, Kato teaches updating of map data (see column 3 lines 25-64).

At the time of the invention it would have been obvious to a person of ordinary skill in the art for the installation of the program of the modified Moore and Durst system to be map updates.

Motivation to do so would have been to apply differential map updates (see Kato column 4 lines 27-29).

Response to Arguments

7. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

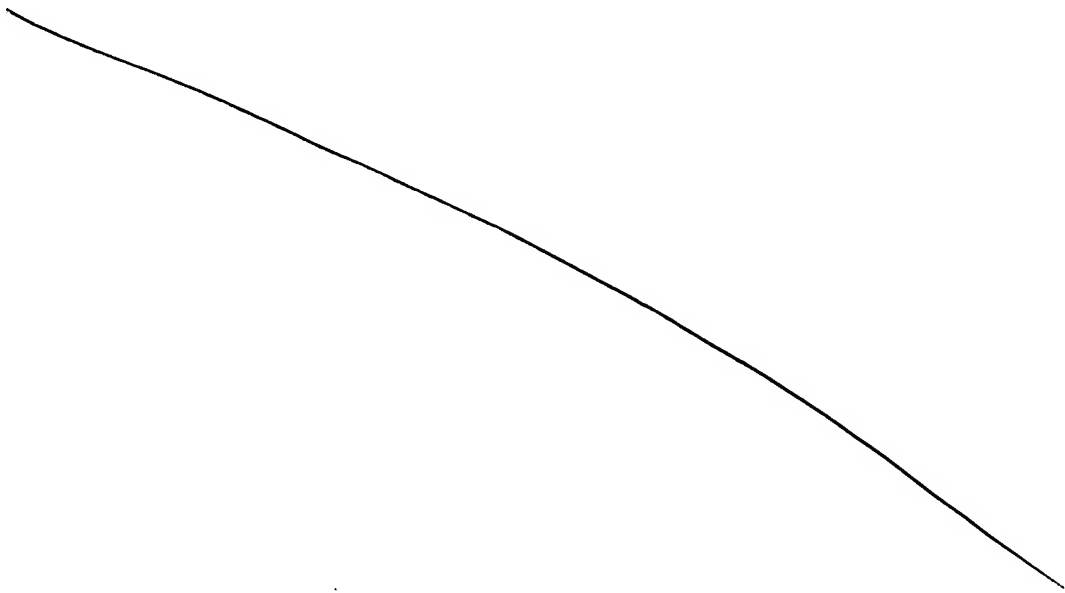
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Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shiba (WO 99/41657) teaches a method of illegal copy prevention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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